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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RSA 98/2025

SMT. BUNDI (NOW DECEASED) THROUGH LEGAL
REPRESENTATIVE SH. MOBIN ALI

.....Appellant

Through: Mr. Varun Kapoor and Mr. H.C.
Kapoor, Advocates.

versus

SH. MAKISSUDDIN & ANR.

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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02.07.2025

CM APPL. 37586/2025 (exemption)

Exemption allowed, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CM APPL. 37585/2025

By way of the present application filed under section 151 of the Code of Civil Procedure 1908, the appellant seeks stay of judgment and decree dated 11.02.2025 passed by the learned ASCJ, Saket Courts, New Delhi in suit bearing RCA SCJ No. 2/2023.

2. Issue notice.
3. Upon the appellant taking steps, let notice be sent to the respondents by all permissible modes, returnable for the next date.
4. Let the notice indicate that replies to the application be filed within 06 weeks of service; rejoinder(s) thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.



5. Re-notify on 18th September 2025 before the learned Joint-Registrar for completion of pleadings in this application.
6. List before court thereafter.

RSA 98/2025

7. By way of the present regular second appeal filed under section 100 of the CPC, the appellant impugns judgment and decree dated 11.02.2025.
8. Though learned counsel appearing for the appellant has drawn attention to the proposed substantial questions of law set-out in para 2 of the regular second appeal, before proceeding to consider whether any of those substantial questions of law arise in the present case, this court is of the view that the appellant's status in relation to the subject property needs to be examined.
9. For the aforesaid limited purpose, issue notice.
10. Upon the appellant taking steps, let notice be sent to the respondents by all permissible modes, returnable for the next date.
11. Let trial court record be requisitioned in electronic form; and copy of TCR be supplied to counsel on request.
12. Re-notify on 18th September 2025 before the learned Joint-Registrar for completion of service.
13. List before court thereafter.

ANUP JAIRAM BHAMBHANI, J

JULY 2, 2025

V.Rawat